THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13449 of 2005

ORAL ORDER:

This writ petition is filed declaring the action of the respondents and their staff in interfering with transportation of granite (minerals) from the leased area of the petitioner, as arbitrary, illegal and discriminatory.

The only complaint of the petitioner that though he is having valid licence and permit to transport granite (mineral), which was being mined in the area permitted by the Authority, the respondents are creating hurdles and not permitting to transport the same.

A detailed counter affidavit has been filed by the respondents denying the allegations made by the petitioner stating that on receipt of telephonic complaint from unknown person and while patrolling by the Flying Squad Partry-I and II on 3.10.2004 that three lorries are transporting granite material coupled with colour stones and chips from the forest area of Kothagudem, the Flying Squad checked the vehicles and found granite material was being transported along with colour stones. Therefore, the lorries were seized and compounding fee was levied and after receiving compounding fee, the lorries along with materials were released. The petitioner has not availed the remedy of filing appeal before the first respondent within 15 days.

From the above counter averments, it is revealed that the petitioner was transporting granite material, which was not mined in the area allotted to him on verification by the Royalty Inspector.

Be that as it may, the respondents are directed not to interfere with any valid business or transportation of granite (mineral), which is extracted from the area of operation allotted to the petitioner during the subsistence of licence held by the petitioner, as per law.

The writ petition is accordingly disposed of. No order as to costs.

_____

C.V.RAMULU, J

Date: 8.8.2007

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13449 of 2005

8.8.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.13449 of 2005

Date: 8th August, 2007

Between:

Sri Venkateswara Garnet Mines,
represented by its Propreitor K.Gopala Rao.

.. Petitioner

And

The Conservator of Forests,
Khammam & another.

.. Respondents